

1 [Parties Listed on Signature Page]  
2  
3  
4  
5  
6  
7  
8

**\*E-FILED - 11/19/08\***

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

RAMBUS INC.,

Plaintiff,

vs.

HYNIX SEMICONDUCTOR INC., et al.,

Defendants.

CASE NO.: C 05-00334 RMW

**STIPULATION AND []  
ORDER ON PRETRIAL SCHEDULE**

Trial Date: January 19, 2009  
Courtroom: 6  
Judge: Hon. Ronald M. Whyte

RAMBUS INC.,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD.,  
et al.,

Defendants.

CASE NO.: C 05-02298 RMW

RAMBUS INC.,

Plaintiff,

vs.

MICRON TECHNOLOGY INC., et al.,

Defendants.

CASE NO.: C 06-00244 RMW

## **STIPULATION AND ORDER**

WHEREAS, the scheduling order dated July 16, 2008, in the above-captioned actions (“Patent Trial Scheduling Order”) sets certain pretrial deadlines for the trial that is scheduled to begin on January 19, 2009, including the hearing date for *Daubert* motions and dispositive motions, and the briefing schedule for *Daubert* motions, dispositive motions, and motions *in limine*;

WHEREAS, the parties previously stipulated to alter the briefing schedule and hearing date for the *Daubert* motions and dispositive motions via a joint stipulation and proposed order filed on October 2, 2008 and signed by the Court on October 15, 2008;

WHEREAS, due to scheduling conflicts, the parties have agreed to reschedule the hearing on *Daubert* motions and dispositive motions from December 2, 2008, to the afternoon of December 11, 2008;

WHEREAS, the parties have further agreed to amend the briefing schedule for *Daubert* motions, dispositive motions, and motions *in limine*;

WHEREAS, the parties are continuing to discuss other pretrial deadlines for the January 19, 2009 trial set forth in the Court's Standing Order Re: Pretrial Preparation, and, subject to reaching agreement on these other pretrial deadlines, intend to file a comprehensive joint stipulation on the pretrial schedule for the January 19, 2009 trial, covering pretrial filings addressed in both the Patent Trial Scheduling Order and the Court's Standing Order;

NOW therefore, it is hereby AGREED and STIPULATED, by and among the parties hereto through their undersigned counsel, that the following hearing date for *Daubert* motions and dispositive motions, and briefing schedules for *Daubert* motions, dispositive motions, and motions *in limine*, shall be in place and shall supersede those set forth in the Patent Trial Scheduling Order and the October 15, 2008 Stipulation and Order:

1. November 14, 2008: Deadline to file oppositions to *Daubert* motions and dispositive motions;<sup>1</sup>

<sup>1</sup> Deadlines for oppositions and replies on *Daubert* motions and dispositive motions apply to motions filed on October 24, 2008, and October 27, 2008.

- 1           2. November 25, 2008: Deadline to file replies to *Daubert* motions and
- 2           dispositive motions;
- 3           3. December 3, 2008: Deadline to file motions *in limine*;
- 4           4. December 11, 2008 at 2:00 p.m.: Hearing on *Daubert* motions and
- 5           dispositive motions;
- 6           5. December 12, 2008: Deadline to file oppositions to motions *in limine*.

7  
8 SO ORDERED,

9 DATED:

10           11/18/08



Honorable Ronald M. Whyte

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 DATED: November 7, 2008

MUNGER, TOLLES & OLSON LLP  
SIDLEY AUSTIN LLP  
McKOOL SMITH P.C.

5 By: /s/

6 ROSEMARIE T. RING

7 Attorneys for RAMBUS INC.

8 DATED: November 7, 2008

9 THEODORE BROWN III  
TOWNSEND AND TOWNSEND AND  
CREW LLP

11 By /s/

12 THEODORE BROWN III

13 Attorneys for HYNIX SEMICONDUCTOR  
14 INC., HYNIX SEMICONDUCTOR  
15 AMERICA INC., HYNIX  
16 SEMICONDUCTOR MANUFACTURING  
AMERICA INC., HYNIX  
SEMICONDUCTOR U.K. LTD., and HYNIX  
SEMICONDUCTOR DEUTSCHLAND  
GmbH

17 DATED: November 7, 2008

18 SVEN RAZ  
WEIL, GOTSHAL & MANGES LLP

20 By: /s/

21 SVEN RAZ

22 Attorneys for MICRON TECHNOLOGY  
INC., et. al.

1 DATED: November 7, 2008

ROBERT BEREZIN  
WEIL, GOTSHAL & MANGES LLP

2  
3 By: /s/

4 ROBERT BEREZIN

5 Attorneys for SAMSUNG ELECTRONICS  
6 CO., LTD., SAMSUNG ELECTRONICS  
7 AMERICA, INC., SAMSUNG  
8 SEMICONDUCTOR, INC., AND SAMSUNG  
9 AUSTIN SEMICONDUCTOR, L.P.

10 DATED: November 7, 2008

11 THERESA E. NORTON  
12 ORRICK HERRINGTON & SUTCLIFFE  
13 LLP

14 By: /s/

15 THERESA E. NORTON

16 Attorneys for NANYA TECHNOLOGY  
17 CORPORATION and NANYA  
18 TECHNOLOGY CORPORATION USA

1                   Filer's Attestation:

2       I, Rosemarie T. Ring am the ECF User whose identification and password are being used  
3 to file this **STIPULATION AND (PROPOSED) ORDER ON PRETRIAL SCHEDULE**. In  
4 compliance with General Order 45.X.B., I hereby attest that Theodore Brown III, Sven Raz,  
5 Robert Berezin and Theresa Norton concur in this filing.

6                   By: /s/

7                   ROSEMARIE T. RING

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28